IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

WEDNESDAY, THE 3RD OCTOBER 2007 / 11TH ASWINA 1929

WP(C).No. 2173 of 2007(H)

PETITIONER:

SHEEJA, PART TIME SWEEPER,
KERALA STATE FINANCIAL ENTERPRISE,
VYTTILA BRANCH, ERNAKULAM (AGED 31, W/O. JANESWARAN, PADINJARACHAKKANTHARA HOUSE, AROOR).

BY ADV. SRI.K.S.MADHUSOODANAN
SRI.T.V.JAYAKUMAR NAMBOODIRI

RESPONDENTS:
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1. KERALA STATE FINANCIAL ENTERPRISES,
BHADRATHA, P.B.NO.510, MUSEUM ROAD,
TRISSUR REP. BY MANAGING DIRECTOR.

2. BRANCH MANAGER,
KERALA STATE FINANCIAL ENTERPRISES,
VYTTILA BRANCH, ERNAKULAM.

BY ADV. SRI.A.M.SHAFFIQUE
SRI.E.K.NANDAKUMAR
SRI.A.K.JAYASANKAR NAMBIAR
SRI.K.JOHN MATHAI

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 2173/2007 H

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE APPOINTMENT ORDER NO. 4380 DT. 4/1/06.

EXT.P2. COPY OF THE ORDER NO. 37370 DT. 10/12/04.

EXT.P3. COPY OF THE MEMORANDUM OF SETTLEMENT BETWEEN THE MANAGEMENT AND THE UNION OF THE WORKMEN WITH EFFECT FROM 1/8/02.

EXT.P4. COPY OF THE ORDER GO MS NO. 55/06/TD DT. 5/5/06.

EXT.P5. COPY OF THE JUDGDMENT IN WA NO. 1394/04 DT. 12/08/05 OF THIS COURT.

RESPONDENT'S EXHIBITS /ANNEXURE

ANNEXURE A: COPY OF THE GOVT. ORDER GO MS NO. 162/05/TD DT. 20/12/2005.

EXT.R1A. COPY OF THE JUDGMENT IN W.A NO. 904/2004 DT. 30/09/2005.

True copy

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THOTTATHIL.B. RADHAKRISHNAN.J

W.P.(C) No.2173 of 2007

Dated this the 2nd day of April 2007

ORDER

Petitioner was engaged as Part-time sweeper in the Vyttila Branch of K.S.F.E. on daily wage basis The Government repelled her contention that she is entitled to wages for the period she has not worked. This decision was taken on the ground that during her absence yet another person was working as sweeper. Though the petitioner was working on daily wages as a part-time sweeper it is the admitted situation that she was regularised only on 4-1-2006 as per Ext.P1 appointment order issued by the K.S.F.E following the Government Order No.G.O MS No.162/05/TD dated 20-12-2005. It is appropriate that the said Government Order is placed on record to properly appreciate the rights of the petitioner . The K.S.F.E. will therefore place on record the said Government Order. Post on 11-4-2007.

THOTTATHIL B. RADHAKRISHNAN
JUDGE

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